

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re:

FRONTIER COMMUNICATIONS  
CORPORATION, et al.,

Reorganized Debtors.

Chapter 11

Case No. 20-22476 (MG)

(Jointly Administered)

**STIPULATION BETWEEN THE RECORD COMPANY CLAIMANTS AND FRONTIER  
WITH RESPECT TO RULE 37(e)**

The Record Company Claimants (“RCCs”)<sup>1</sup> and Reorganized Debtors (together, “Frontier”) hereby stipulate as follows:

1. In lieu of filing a motion pursuant to Fed. R. Civ. P. 37(e), the RCCs may introduce evidence (including the Joint Stipulation Of Facts Pertaining To The Movie Company Claimants’ and Record Company Claimants’ Rule 37(e) Motions entered November 15, 2024 (the “Fact Stipulations”)) and argument at the trial before the Bankruptcy Court that (i) Frontier did not preserve certain Reports data, system logs, traceback files, and call transcripts, and (ii) that the unavailability of this data has impacted the RCCs’ analysis and presentation of evidence.

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<sup>1</sup> UMG Recordings, Inc. and Capitol Records, LLC (“Universal Claimants”); ABKCO Music & Records, Inc. (“ABKCO Claimants”); Sony Music Entertainment, Arista Music, Arista Records LLC, LaFace Records LLC, Sony Music Entertainment US Latin, Volcano Entertainment III, L.L.C., and Zomba Recording LLC (“Sony Claimants”); and Atlantic Recording Corporation, Atlantic Records Group LLC, Bad Boy Records LLC, Big Beat Records Inc., Elektra Entertainment Group Inc., Fueled by Ramen LLC, Maverick Recording Company, Nonesuch Records Inc., Rhino Entertainment Company, Rhino Entertainment LLC, Roadrunner Records, Inc., Warner Music Inc., Warner Music International Services Limited, Warner Music Nashville LLC, and Warner Records Inc. (“Warner Claimants”).

2. Frontier may introduce evidence (including the Fact Stipulations) and argument in response.
3. Both the RCCs and Frontier shall be bound by the agreed-upon Fact Stipulations and neither shall submit evidence or argument in contradiction thereof.

Dated: November 18, 2024

/s/ Matthew J. Oppenheim

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**CERTIFICATION OF SERVICE**

The undersigned hereby certifies that on November 19, 2024, a copy of the foregoing STIPULATION BETWEEN THE RECORD COMPANY CLAIMANTS AND FRONTIER WITH RESPECT TO RULE 37(e) was filed electronically and served by mail or e-mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system or by mail or e-mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System.

/s/ Joshua W. Cohen